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COMMONWEALTH OF VIRGINIA, ex rel.

**DERRICK AND KAREN DOUGLAS,
Complainants**

v.

CASE NO. PUE010661

**SOUTHWESTERN VIRGINIA GAS COMPANY,
Respondent.**

HEARING EXAMINER'S RULING

January 17, 2002

On January 16, 2002, Southwestern Virginia Gas Company ("SVG"), by counsel, filed a Motion to Extend Hearing Date and for Change of Hearing Location. SVG requested that the hearing date be extended from January 24, 2002, to February 7, 2002, so that the parties may have sufficient time to complete settlement discussions and conclude this matter. In the event the parties are unable to settle this matter, SVG requests that the Hearing Examiner reconsider his decision to conduct the hearing in Martinsville. SVG notes the Commission and SVG would incur significant travel expenses if the hearing were held in Martinsville, whereas the Complainants would be the only parties who would have to travel to a hearing in Richmond. SVG argues the Complainants have the burden of proving their case, and to date, SVG is unaware of any disputed facts in the case. SVG argues the Complainants simply do not want to pay the full amount of the deposit for customers who have declared bankruptcy.

By Hearing Examiner's Ruling entered herein, the Complainants were required to file with the Clerk of the Commission on or before January 15, 2002, any testimony and exhibits they intended to present at the hearing. Complainants failed to make such filing. In light of Complainants' failure to diligently pursue their case, judicial economy would be promoted by conducting further proceedings in this case at the Commission's offices in Richmond, Virginia.

I find that SVG's motion should be, and it is hereby, granted. Accordingly,

IT IS DIRECTED that the hearing scheduled herein for January 24, 2002, is rescheduled for February 7, 2002 at 10:00 a.m. in the Commission's Second Floor Courtroom, Tyler Building, 1300 East Main Street, Richmond, VA 23219.

Michael D. Thomas
Hearing Examiner